

**DEVIN GRAINGER, on Behalf of
Himself and Others Similarly Situated,**

Plaintiff,

VS.

**PRECISION OF NEW HAMPTON,
INC.,**

Defendant.

Case No. 22-2043

NOTICE OF REMOVAL

Defendant Precision of New Hampton, Inc., by and through its undersigned counsel, hereby requests removal of the instant action from the Iowa District Court in and for Chickasaw County to the United States District Court for the Northern District of Iowa pursuant to 28 U.S.C. § 1331 and 28 U.S.C § 1441, and in support thereof as required by Local Rule 81 states as follows:

1. This action was commenced by Plaintiff against Defendant in the Iowa District Court in and for Chickasaw County on February 25, 2022.
2. On September 22, 2022, Plaintiff filed a motion for leave to amend his Petition, attaching a proposed Second Amended Petition adding a claim against Defendant for alleged retaliation under the Fair Labor Standards Act. Plaintiff was permitted leave to amend his Petition by Order dated October 4, 2022. The time has not elapsed within which Defendant is allowed to file this Notice of Removal.
3. The above-entitled action now asserts claims under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*

4. This case is within the original jurisdiction of this Court and is predicated under U.S.C. Title 28, Section 1331, which pertains to civil actions arising under the laws of the United States, which may be removed pursuant to 28 U.S.C. § 1441(b).

5. Attached hereto as Exhibit A are copies of all process, pleadings and orders filed in the state court. Attached hereto as Exhibit B is Defendant's Unresisted Motion to Extend Class Certification Deadlines filed October 6, 2022, which is currently pending in the state court and will require resolution by this court. Attached hereto as Exhibit C is a Statement complying with Local Rule 81(a).

6. No further pleadings or notice has been served upon the Defendant by the Plaintiff in this case.

7. Written notice of this removal has been given to all adverse parties.

WHEREFORE, Defendant prays this Court take jurisdiction of this Notice of Removal and issue all necessary orders and process in order to remove the above-captioned case from the Iowa District Court in and for Chickasaw County to the United States District Court for the Northern District of Iowa.

SIMMONS PERRINE MOYER BERGMAN PLC

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2022, I filed the foregoing with the Clerk of Court using the ECF system and sent a true and correct copy by e-mail to the following:

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